

REMARKS

Claims 1-14 and 20-29 remain pending in the application. Claims 15-19 have been cancelled. Applicants respectfully request reconsideration of all pending claims in light of the remarks presented herein.

Applicants submit that all pending claims are now in condition for allowance. It is respectfully requested that the Examiner telephone the undersigned at (805) 781-2865 if there are any remaining issues so that the issues may be resolved as expeditiously as possible.

Claim Rejections - 35 U.S.C. §102

Claims 1, 2, 4-6, 8-14 and 20-29 were rejected under 35 U.S.C. § 102(b), as being anticipated by U.S. Patent Publication No. 2003/0050982 A1 (Chang).

Chang's disclosure is directed to the automatic annotation of audio and visual data with a temporal feature (i.e. a time indication), (Chang, Title, and Paragraph 1). Chang's temporal feature is instantiated as a time stamp 202, 302 and a timer 108 110 112 114. The temporal feature is central and critical to each and every embodiment of Chang's device and method, (Chang, Figures 1-3, Paragraph 1). Notably, one of the deficiencies of a temporal system such as Chang's is that the system does not allow for handling data related to a plurality of contemporaneous events.

In rejecting claims 1, 14 and 25, the Office Action asserts that Chang teaches searching for an event profile corresponding to the event, (Office Action, Page 2, Line 21, Page 4, Line 11, Page 6, Line 8). The Office Action further asserts that inspecting a calendar entry based on time stamp information as disclosed by Chang can be inferred to be the same or equivalent to searching for an event profile, (Office Action, Page 9, Line 21). Applicant respectfully disagrees.

Notwithstanding, the Office Action's improper hindsight founded inference and overly broad interpretation of the teachings of Chang, Applicants have chosen to amend each of the claims to further distinguish the claims over Chang and advance prosecution of the application. Each of the claims, after entry of this amendment, now recites non-temporal features that are not

disclosed or suggested by Chang.

Applicants' specification has been amended to clarify that the information in the signal and the event profile may include non-time (non-temporal) attributes. Specifically, the fifth paragraph of page 9 was amended to clarify that the signal of the disclosed embodiment includes both temporal and non-temporal attributes. Support for this amendment is provided in the same paragraph of the originally filed application since the originally filed specification indicates that the signal includes such information as event location (non-temporal), event time (temporal), event duration (temporal), and event participants (non-temporal). Similarly, the second paragraph of page 14 was amended to clarify that the event profile includes temporal and non-temporal attributes. Support for this amendment is provided in the same paragraph of the originally filed specification and figure 4a since the specification and the figure 4a indicate that in one embodiment the event profile includes location (non-temporal), event time/date (temporal), event duration (temporal), and event participants (non-temporal). It should also be noted that location (non-temporal), event time/date (temporal), event duration (temporal), and event participants (non-temporal) are described as attributes in the third paragraph of page 12 of the specification.

Specifically, claims 1, 14 and 25 now recite detecting an event having a non-temporal attribute and searching for an event profile using the non-temporal attribute. Support for the claim amendments may be found throughout the specification, including the fifth paragraph of page 9 and the second paragraph of page 14. As explained by the Office Action, Chang inspects calendar entries based on "time stamp information" (Office Action, Page 9, Lines 16-21). Time stamp information is temporal information and thus Chang's inspection fails to disclose or suggest searching for an event profile using non-temporal attributes, making the claims patentable over Chang.

Claim 20 now recites a storage module to store a record containing an event profile having a non-temporal attribute and a content categorization module for matching the content with the event using the non-temporal attribute. Support for this amendment may be found throughout the specification, including the fifth paragraph of page 9 and the second paragraph of page 14 as well as the second and third paragraph of page 10. The Office Action indicates that a

storage module and content categorization module, or equivalent, is disclosed by Chang in paragraphs 11, 12 and 15, (Office Action, Page 5, Lines 5-9). However, it is clear from Chang's disclosure that Chang's modules use a temporal attribute (i.e. a time stamp) for matching content with a calendar entry, (Chang, paragraphs 11, 12 and 15). Thus Chang's disclosure teaches away from matching content with an event using a non-temporal attribute as recited in claim 20, making claim 20 patentable over Chang.

Claim 26 has been amended to recite receiving an event profile comprising at least one non temporal attribute relating to an event; receiving content and corresponding content description information comprising at least one non-temporal attribute related to the content; and associating the content with the event when the at least one non-temporal attribute related to the event matches the at least one attribute related to the content. Support for the claim amendment may be found throughout the specification, including the fifth paragraph of page 9 and the second paragraph of page 14. The Office Action asserts the method of claim 26 is disclosed in paragraphs 11, 12 and 14-16 of Chang, (Office Action, Page 6, Line 12 – Page 7, Line 2). However, associating the content of an event with at least one non-temporal attributes as recited in claim 26 is not disclosed or suggested by Chang. As explained by the Office Action, Chang inspects calendar entries based on "time stamp information" i.e. temporal information, (Office Action, Page 9, Lines 16-21).

Claims 2, 4-6, 8-13, 21-24 and 27-29 depend from claims 1, 14, 20, 25 and 26 and recite structures or steps that further distinguish the claims over Chang and the prior art of record, making these claims patentable for at least the same reasons as 1, 14, 20, 25 and 26.

Claim Rejections - 35 U.S.C. §103

Claims 3 and 7 were rejected under 35 U.S.C. § 103(a), as being unpatentable over Chang in view of U.S. Patent Publication No. 2004/0135904 A1 (Shiota et al.).

Shiota teaches an image sorting method for sorting images from a camera, (Shiota, Paragraph 2). Shiota's method relies exclusively on temporal information (time/date) to associate the camera images with an event.

Specifically, Shiota teaches a sorting method that includes the steps of obtaining

photography date/time information from image data to which the photography date/time information representing a date/time of photography has been attached and selecting a single corresponding event which corresponds to the date/time of photography, (Shiota, Paragraph 7).

Notably, one deficiency of a temporal method of associating images with an event as proposed by Shiota is that the method does not allow for handling images generated at contemporaneous events. For Shiota, this deficiency is not a problem, since Shiota's image sorting method is directed to sorting images from a camera, (Shiota, Paragraph 2). Presumably, Shiota's camera can only take one picture at a time and thus there are no contemporaneous images. Obviously, such a method is not applicable to handling data that may be generated contemporaneously by multiple devices.

Each of Applicant's claims recites a non-temporal feature that allows handling of data generated by multiple devices at contemporaneous events. These recited features are not disclosed or suggested by Chang or Shiota, making the claims patentable over Chang in view of Shiota.

CONCLUSION

Applicants submit that all pending claims are now in condition for allowance and a Notice of Allowance is respectfully requested. Applicants request that if any rejection of any claim is to be maintained that the particular parts relied on to make the rejection be designated as required by 37 C.F.R. § 1.104 (c) (ii).

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